

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**ENG'RS JOINT WELFARE, PENSION, SUPP. UNEMPL.
BENEFIT AND TRAINING FUNDS, by Daniel P. Harrigan,
as Adm'r; OPERATING ENG'RS LOCAL 17 TRAINING
FUND, by Frederick Eye, as Admin. Manager; CENT.
PENSION FUND OF THE INT'L UNION OF OPERATING
ENG'RS AND PARTICIPATING EMPLRS., by Michael
R. Fanning, as Chief Executive Officer; INT'L UNION OF
OPERATING ENG'RS, LOCAL UNION NO. 17, by Mark
N. Kirsch, as Business Manager; and INT'L UNION OF
OPERATING ENG'RS, LOCAL UNION NO. 463, by Clyde
J. Johnson, Jr., as Business Manager,**

**5:05-CV-0741
(NAM/GHL)**

Plaintiffs,

vs.

**SHIR-BILL CONCRETE PUMPING, INC., PAULETTE S.
REED, and SHIRLEY REED, individually and as Officers
of Shir-Bill Concrete Pumping, Inc.,
Defendants.**

APPEARANCES:

OF COUNSEL:

Blitman & King, LLP
Franklin Center
443 North Franklin Street, Suite 300
Syracuse, NY 13204-1415
Attorney for Plaintiffs

Jennifer A. Clark, Esq.

Norman A. Mordue, Chief U.S. District Judge

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 23rd day of April 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, the affidavit (Dkt. No. 20) in support of interest and liquidated damages

incurred during the period of December 1, 2006 through May 13, 2008, with no objections filed by either party, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted and approved.

2. The plaintiffs' motion for default judgment is granted and the clerk is directed to enter judgment in plaintiffs' favor and against defendants, in the sum of \$31,332.13, the sum of which is \$25,673.18 plus \$2,890.55 in interest from December 5, 2006, through May 13, 2008, and \$2,768.40 in liquidated damages.

3. The Clerk of the Court shall serve a copy of this order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: May 29, 2008
Syracuse, New York



Norman A. Mordue
Chief United States District Court Judge